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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/553,207	10/13/2005	Shinichi Azumi	4492-0136PUS1	1238
2292	7590	10/02/2006	EXAMINER	
BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			LABOMBARD, RUTH NAOMI	
			ART UNIT	PAPER NUMBER
			2852	
DATE MAILED: 10/02/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/553,207	Applicant(s) AZUMI ET AL.	
	Examiner Ruth N. LaBombard	Art Unit 2852	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 October 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 October 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>10/13/05</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Specification

2. The disclosure is objected to because of the following informalities:
 - a. The brief descriptions of figures 3-5 should include descriptions of each part of each figure (i.e. there should be a description for each of figures 3A, 3B and 3C, etc.)
 - b. The symbol "..." used on pages 11 and 12 to indicated a plurality of reference numbers should be replaced with the desired reference numbers.Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-6 are rejected under 35 U.S.C. 102(b) as being anticipated by Nagatomi et al. (US 6,219,508 B1).
5. With respect to claim 1 Nagatomi et al. disclose "[a] lock mechanism for an opening and closing member (14), comprising: an opening and closing member (14) that is provided on an apparatus frame (12) and that can be opened and closed, and at

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least two lock member sets (60, 68 and 72; see figure 8) for sustaining a state in which the opening and closing member (14) is closed with respect to the apparatus frame (12), wherein each of the at least two lock member sets (60, 68 and 72) is constituted by a secured member (68) that is provided on the opening and closing member (14), and a bearing member (60, 72) that is provided on the apparatus frame (12) and that is to elastically secure the secured member (68; see figure 8), and wherein an elastic force when the secured member (68) in any one lock member set (60, 68) of the at least two lock member sets (60, 68 and 72) is secured to the bearing member (60, 72) is set to be greater than that of the other lock member set (72).” Bearing member 72 is accompanied by a spring and is additionally constructed of a different shape than bearing member 60; therefore the two members have a different elastic force.

6. With respect to claim 2 Nagatomi et al. disclose “the secured members in the lock member sets (60, 68 and 72) are provided on an opening and closing end side of the opening and closing member (14).”

7. With respect to claim 3 Nagatomi et al. disclose “the secured member (68) in the any one lock member set (60, 68) is disposed at a substantially center position in a direction perpendicular to an opening and closing direction of the opening and closing member (14).” Lock member set 60, 68 are disposed at a position closer to the center of the opening and closing member than lock member 72 and are therefore substantially centered.

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8. With respect to claim 4 Nagatomi et al. disclose "the at least two lock member sets (60, 68 and 72) are three lock member sets." Figure 8 discloses four lock member sets.

9. With respect to claim 5 Nagatomi et al. disclose "a relative space between a front end of the secured member (68) and the bearing member (60) in any one lock member set is set to be smaller than relative spaces between a front end of the secured member and the bearing member (72) in the other lock member set, and wherein the any one secured member is secured to the bearing member (72) first when closing the opening and closing member (14)." Bearing member 72 engages with a predetermined portion of top cover 14.

10. With respect to claim 6 Nagatomi et al. disclose "the secured members (68) are formed in one piece with the opening and closing member (14) by integrally molding (column 9, lines 55-60)."

11. Claims 1-7 are rejected under 35 U.S.C. 102(b) as being anticipated by Matoba. (JP 2000-079739 A).

12. With respect to claim 1 Matoba discloses "[a] lock mechanism for an opening and closing member (1), comprising: an opening and closing member (1) that is provided on an apparatus frame (4) and that can be opened and closed, and at least two lock member sets (1a, 4a; 1b, 4b; 21a, 41a; 22a, 42a) for sustaining a state in which the opening and closing member (1) is closed with respect to the apparatus frame (4), wherein each of the at least two lock member sets (1a, 4a; 1b, 4b; 21a, 41a; 22a, 42a)

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is constituted by a secured member (1a, 1b, 21a, 22a) that is provided on the opening and closing member (1), and a bearing member (4a, 4b, 41a, 42a) that is provided on the apparatus frame (4) and that is to elastically secure the secured member (68; see figure 8), and wherein an elastic force when the secured member (1a, 1b, 21a, 22a) in any one lock member set of the at least two lock member sets (1a, 4a; 1b, 4b; 21a, 41a; 22a, 42a) is secured to the bearing member (4a, 4b, 41a, 42a) is set to be greater than that of the other lock member set (4a, 4b).” Bearing members 1a and 1b are constructed of a different shape than bearing members 21a and 22a; therefore the two members have a different elastic force.

13. With respect to claim 2 Matoba discloses “the secured members in the lock member sets (1a, 4a; 1b, 4b; 21a, 41a; 22a, 42a) are provided on an opening and closing end side of the opening and closing member (1).”

14. With respect to claim 3 Matoba discloses “the secured member (1a, 1b, 21a, 22a) in the any one lock member set (1a, 4a) is disposed at a substantially center position in a direction perpendicular to an opening and closing direction of the opening and closing member (1).” Lock member set 1a, 4a is disposed at a position closer to the center of the opening and closing member than to the edge of the opening and closing member.

15. With respect to claim 4 Matoba discloses “the at least two lock member sets (1a, 4a; 1b, 4b; 21a, 41a; 22a, 42a) are three lock member sets.” Figure 1 discloses four lock member sets.

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16. With respect to claim 5 Matoba discloses "a relative space between a front end of the secured member (1a, 1b, 21a, 22a) and the bearing member (4a, 4b, 41a, 41b) in any one lock member set is set to be smaller than relative spaces between a front end of the secured member and the bearing member (4a, 4b) in the other lock member set, and wherein the any one secured member is secured to the bearing member (4a, 4b) first when closing the opening and closing member (1; paragraph 0024)."

17. With respect to claim 6 Matoba discloses "the secured members (1a, 1b) are formed in one piece with the opening and closing member (1) by integrally molding (paragraph 0015)."

18. With respect to claim 7 Matoba discloses "the bearing members (4a, 4b, 41a, 41b) are formed in one piece with the apparatus frame (4) by integrally molding."

Claim Rejections - 35 USC § 103

19. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

20. Claims 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nagatomi et al. in view of Higeta et al. (US 5,485,249).

21. With respect to claim 7 Nagatomi et al. disclose "the bearing members (60) are formed in one piece [with the apparatus frame (12) by integrally molding]."

22. Nagatomi et al. differ from the instant invention by failing to include forming the bearing members in one piece with the frame.

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23. Higeta et al. disclose integral claws 14a at regular intervals in a longitudinal direction along a frame 14 (column 7, lines 5-10).

24. It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to modify Nagatomi et al. to include integral claws, as disclosed by Higeta et al., in order to reduce production time and costs.

25. With respect to claim 8 Nagatomi et al. disclose "[a]n image forming apparatus, comprising: an image forming apparatus frame (12) [provided with a document platen on which a document is placed,] an optical system (40) for creating image data [by reading the document placed on the document platen,] an image bearing member (36) for bearing a latent electrostatic image corresponding to the image data read by the optical system (40), a developing device (42) for forming a toner image by changing, with toner, the latent electrostatic image on the image bearing member (36) into a visible image, and a transferring device (44) for transferring the toner image on the image bearing member (36), which has been changed into a visible image with the developing device (42), to paper, an opening and closing member (14) that is provided on the image forming apparatus frame (12) and that can be opened and closed, and at least two lock member sets (60, 68 and 72) for sustaining a state in which the opening and closing member (14) is closed with respect to the image forming apparatus frame (12), wherein each of the at least two lock member sets (60, 68 and 72) is constituted by a secured member (68) that is provided on the opening and closing member (14) and a bearing member (60, 72) that is provided on the image forming apparatus frame (12) and that is to elastically secure the secured member (68), and wherein an elastic force

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when the secured member (68) in any one lock member set of the at least two lock member sets (60, 68 and 72) is secured to the bearing member (60, 72) is set to be greater than that of the other lock member set (72)." Bearing member 72 is accompanied by a spring and is additionally constructed of a different shape than bearing member 60; therefore the two members have a different elastic force.

26. Nagatomi et al. differ from the instant invention by failing to include a document platen.

27. Higeta et al. disclose an original supporting platen glass 1a (column 4, lines 10-20).

28. It would have been further obvious to one of ordinary skill in the art, at the time the invention was made, to modify Nagatomi et al. to include platen glass, as disclosed by Higeta et al., in order to produce copies of original documents.

Conclusion

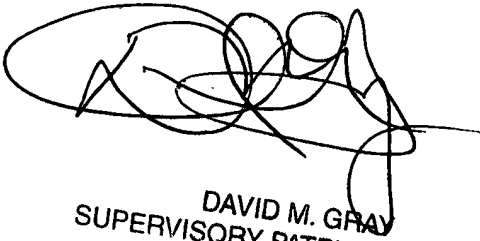
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ruth N. LaBombard whose telephone number is (571) 272-6430. The examiner can normally be reached on Monday - Friday, 7:30am - 4:00pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Gray can be reached on (571) 272-2119. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

RNL
9/28/06



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